

DAILY NEWS.

THURSDAY, JANUARY 10, 1858

PRINTER TO THE STATE.

The Official Organ of the City.

PUBLISHED IN

The News Building, No. 5, Martin Street

THE RALEIGH NEWS IS THE OLDEST DAILY NEWSPAPER IN RALEIGH, AND HAS THE LARGEST DAILY CIRCULATION IN NORTH CAROLINA.

Please use us to obtain the NEWS at \$1.00 a copy on Railway Trains, and other places where usually sold; we will endeavor by reporting the fact to us.

The DAILY NEWS is served by railroads to all parts of the city for 12¢ per month; \$1.00; three months, \$3.00. Week, one year, \$1.00; six months, 75 cents; 18 months, 50 cents.

ADVERTISING RATES.—For square ten lines, one cent; insertion size, one cent; each subsequent insertion 50 cents. Legal notices, 20 cents per line; each half page, 10 cents; each quarter page, 5 cents; each eighth page, 2.5 cents. Contracts for advertisements for any space or time can be made.

ADVERTISERS will positively not be allowed to exceed their size, or advertise other than the space and time agreed upon by paying specially for the same.

CIRCULATION.—The DAILY NEWS has the largest circulation in the State, and the NEWS has the best weekly circulation in the State.

The combined circulation of the DAILY and WEEKLY NEWS is nearly 30,000 and reaches more readers than any other paper in North Carolina.

NOTICE TO SUBSCRIBERS.—Each subscriber will see plainly printed on the yellow label, on which his name is printed, the date when his subscription will expire, so that he may avoid losing any copy of their paper if any subscriber failing to receive a copy of the news will confer a favor by notifying this office.

All communications should be addressed simply to THE NEWS, Raleigh, N. C.

STATE NEWS.

During Christmas week there was not a case before the Mayor of Statesville.

The Department has ordered a daily mail on the line from Winston to Mt. Airy.

Mrs. F. S. Chapman will appear in Charlotte on the night of the 16th, and Dan Bryant's famous minstrel troupe on the night of the 18th.

Edward Prentiss Liles, son of Col. E. R. Liles, of the Wadesboro Herald, left for Meridian, Mississippi, on the 8th. He will make that place his home.

Statesville American: Rabbit racing on the streets has been one of the sources of amusement during the past week, in which both old and young took part.

Mr. Alvy Watchman 5th: The first son of the Governor, under the name of his appearance on Monday last, and yesterday morning the ground was covered to the depth of three or four inches.

We learn from the Observer, that a citizen of Mecklenburg county is employing his spare time in constructing a flying machine, whose capacity shall be great enough to carry a man of the weight of one hundred and fifty pounds.

The following gentlemen were elected Presidents of various Banks of Charlotte: First National Bank, H. C. Aden; Commercial Bank, C. Dowd; Merchants' and Farmers' National Bank, J. H. McAdams; Traders' National Bank, S. P. Smith.

Charlotte Observer, 9th: Gen. M. C. Butler, the distinguished Senator from South Carolina, spent last night at the General Hotel in the city, en route to Washington. Dr. Battle was accompanied by his two sons, who will this morning enter the Carolina Military Institute.

The Charlotte Observer of the 9th publishes the proceedings of the military commission in the trial at Raleigh in 1866, of Capt. R. P. Waring for inciting insurrection, as a sample of justice done to the rebels in North Carolina when the people of the State were trodden under foot by military despot.

Charlotte Observer, 9th: Yesterday morning about 6 o'clock, Mr. Thomas Pritchard, an old citizen of Charlotte, who occupied a house on the premises of Mrs. M. J. Morrow, on Myers street, started into the room of Mr. Battle, who had just come up to him, and fell heavily on the doorstep, apparently dead. Dr. Battle was called in and pronounced the case a hopeless one, and after lingering in great pain, undergoing one convolution after another, the unfortunate man, at 1 p.m., breathed his last.

SOUTHERN NEWS.

General Longstreet will soon reply to his critics through the Weekly Times.

Senator Gordon is to make a civil service reform speech when Congress reassembles.

It is generally admitted that the sugar crop of Louisiana will not be a success this year.

Bishop Wightman, though three score and ten, has presided over five annual Conferences in Texas in the last three months.

Four hundred and seventy-seven persons settled in Tennessee under the auspices of the Immigration Bureau during December.

Mr. Witten, a member of the Virginia class of Delegates from Tazewell county, is the father of sixteen children, including five pairs of twins.

A Dallas, Texas, lawyer fell despairing when he learned that his wife recently visited that State, and died to bribe a hotel-waiter to let him take her meals up to her room.

Norfolk Virginian: It is understood that Ex-Lieutenant-Governor Thomas will be a candidate for Second Auditor. Ex-Senator Eubank, of Rockbridge, it is stated, will be a candidate for the same place.

Progressive Walker, of Virginia, is in Philadelphia, doing business, it is reported, connected with a Virginia railroad enterprise—perhaps the Shenandoah Valley—with which it is understood he will actively connect himself after retiring from Congress.

The Pensacola Gazette says that the city election on Monday was quiet and orderly. The Democratic and Conservative parties were represented by a combination with the Radical, of certain dissatisfied or interested elements—late of the Democratic and Conservative party.

A corporation under the name of the Maryland Telephone Company of Baltimore City, has been formed for the construction, owning and operating telephone and telegraph lines in the State of Maryland. The capital stock is \$50,000 in 500 shares of \$10 each.

The people of Kentucky make contracts before election with their own judges to discharge the duties of their

posts for so much less than the salary allowed by law. In Magoffin county the Judge gets \$120 a year, and Judge Shucklett, of Meade, is satisfied with an annual stipend of \$90.

In Lancaster, Ky., last week, for the murder of his uncle, twenty-eight witnesses testified for the defense. Of these witnesses one had killed five men, seven had killed each his man, one had killed a woman, four are charged with malicious shooting, four had had shooting scrapes, and three of four were engaged in the riot of 1851.

A Richmond photographer took a picture of the procession at the inauguration of Governor Holiday, which was led by General Lindsay Walker, Hill's chief of artillery, a son of Anak, six feet five inches high and mounted on a horse to match his proportions. When the procession passed, General Walker was some distance down the line, and so imminent peril of not being passed by the rest of the procession. Galloping to the front rank he took up his position, and that photograph represents a big man on a big horse, and nothing else.

What of the Vacancy?

It is maintained by some, outside the Justices of the Supreme Court, that the vacancy occasioned by the death of Chief Justice Pearson should not be supplied at all. Because, as is claimed, the amended Constitution, which provides that "the Supreme Court shall consist of a Chief Justice and two Associate Justices," being now in operation, a Supreme Bench which consists of as many as three justices is a constitutional violation. The existing bench has four justices upon it, and is, therefore, urged, sufficient in point of numbers, with one to spare. This argument is based upon the idea that the saving clause of the fourth article of the amended constitution which protects that the amendments "shall not have the effect to vacate any office or term of office, now existing under the constitution of the State,"—protects the incumbent of the office, not the office.

This argument will not stand the plain construction of the language of the constitution. It is almost too plain for discussion, that the term of office of the late Chief Justice continues until January 1st, 1879.

While it is the design of the amended constitution to reduce the number of Justices of the Supreme Court, upon grounds of public economy, reductions by death are not at all in contemplation. It is made obligatory upon the Governor to supply all vacancies occurring in the offices provided for in the fourth article of the constitution, Justices of the Supreme Court among the number, and there is no escape from the duty of naming a successor to Chief Justice Pearson.

The vacancy is to be supplied by appointment of the Governor, under section 31, Article 4 of the Constitution which reads as follows: "All vacancies occurring in the offices provided for by this article of the Constitution shall be filled by the appointment of the Governor, unless otherwise provided for," &c. There is no other provision of the law applicable to the case. So that there can be no question whatever about the power of the Governor to appoint. But the question may be raised, shall the Governor appoint a Chief Justice, or only an Associate Justice, leaving to the Associate Justices of the Supreme Court the right to name one of their own Chief Justice.

The old constitution provided that the general Assembly should "appoint Judges of the Supreme Court," and conferred upon those Judges the authority "to appoint one of their number to preside who shall therewith be styled Chief Justice of the Supreme Court." Under this law Judge Pearson, himself, was named Chief Justice, after the death of Chief Justice Nash. It is recorded that the Judges of the Supreme Court made on the 30th of December, 1858, and tendered the Chief Justiceship to Judge Rufus who declined it; and that it was then tendered to Judge Pearson, who accepted the appointment. The Chief Justiceship was not then an office; it was simply a title—a "Judge" styled Chief Justice of the Supreme Court of North Carolina." But under the constitution of 1868, the Chief Justiceship is an office; for the 8th section of the fourth article says: "The Supreme Court shall consist of a Chief Justice and four Associate Justices," very different from the language of the old constitution, that the General Assembly should "appoint Judges of the Supreme Court," and that those Judges "shall appoint one of their number to preside who shall therewith be styled Chief Justice," &c. Judge Pearson himself regarded it as an "office." The parties that elected him so regarded it.

Our law in this respect is analogous to the law of the United States. Section 63 of the Revised Statutes says:

"The Supreme Court of the United States shall consist of a Chief Justice of the United States and eight Associate Justices, any six of whom shall constitute a quorum."

Section 65 provides that, "In case of a vacancy in the office of Chief Justice, or his inability to perform the duties and powers of his office, they shall devolve upon the Associate Justice who is first in precedence, until such disability is removed, or another Chief Justice is appointed and duly qualified." Appointments under this section are made by the President, by virtue of the second section of the fourth article of the Constitution of the United States. When Chief Justice Chase died the vacancy was supplied by President Grant, in the appointment of Morrison R. Waite. If the views reported to be entertained by the Associate Justices of our Supreme Court are correct, Chase's successor would have been named by the Associate Justices of the Supreme Court of the United States. The law of our State is not less plain in respect to the office of

Chief Justice than the United States law.

Gov. Vance will appoint a Chief Justice, and he will take his seat; and we shall be surprised if the Associate Justices make opposition thereto, notwithstanding the prevalent rumors.

And Gov. Vance's appointee will draw the salary and no one else.

DRUGS.

PESCU, LEE & CO.,
WHOLESALE and RETAIL
Druggists.

RALEIGH, N. C.



We are constantly receiving New Goods, and are selling them at the lowest marked rates. Special attention given to orders for specific articles, or packages, and to those who want to pay by express.

SEELEY'S HARD RUBBER TRUSSES.



TRUSSES, \$1.00 TRUSSES, \$1.00
TRUSSES, \$1.50 TRUSSES, \$1.50
TRUSSES, \$2.00 TRUSSES, \$2.00

SEELEY'S MEDICAL INSURANCE.

RECEIVING TO-DAY.

50 Boxes C. R.
100 Bins. Flour.
50 " Sugars, all grades.
25 Bins. Coffee.
75 Boxes Soap.
50 " Cakes and Crackers.
25 " C. Lye.

One car load Cuba Molasses, new crop.
50 Boxes old Virginia Tobacco.

POOL & MORNING.

Wholesale Grocers & Com. Merchants,
Raleigh, N. C.

Seeley's complete assortment for sale by
PESCU, LEE & CO. Druggists.
dec 20-4pm.

In Store and to Arrive.

CHESTER'S CURE.

RECENTLY DISCOVERED REMEDY FOR

Asthma,

BRONCHITIS, CATARRH,

HAY FEVER, COLDS, & C.

And all diseases of the Respiratory organs

—

WONDERFUL CURES.

july-1st-1858.

TUTT'S PILLS.

The Greatest Medical Triumph
of Modern Times.

Recommended by Physicians.

Induced by Clergymen.

These Pills have gained a popularity unequalled in the history of medicine, and their sale is unprecedented.

COOKE & WAINWRIGHT,

No 9 and 11 Adams Building,

GROCERS AND

COMMISSION MERCHANTS.

Just Received

1000 Bushels Fine Seed Oats.

A large lot.

BAGGING AND TIES.

Bacon, Lard, Flour, Meat, Molasses, Salt, Fish, Shoes, Saddles, Bridles, Saddle Leather, Collars.

Also 50 Tons

RADLEY'S AAA SUPERPHOSPHATE

LIME put up expressly for wheat.

The public will find it to their interest to call and see them.

On Signments of Cotton

and all COUNTRY PRODUCE

and COTTON SPECIALTY.

Refer to Citizens' National Bank, Raleigh, N. C.

MISCELLANEOUS.

HOWARD Insurance Company, OF NEW YORK.

CHARTERED 1825

ALFRED T. SKIDMORE, President.

HENRY A. OAKLEY, Vice President.

GUARANTEE AGAINST LOSS OR DAMAGE BY FIRE FOR POLICIES APPLED TO

W. H. CROW,

LOCAL AGENT.

NEW STORE, NEW GOODS AND

NEW YEAR.

W. H. LYON

Has removed to his New Store, due

South of his old stand, Blount Street,

where he will continue to deal on the square

for 1860.

ADVANCE ON COTTON, LOW RATE OF INTEREST AND SURGE CHARGES. REFER TO CITIZENS' NATIONAL BANK, RALEIGH, N. C.

LAST DAY.

VALLEY WHISKEY.

TOM COOPER'S

Laurel Valley

CENTENNIAL OLD RYE

—AND—

WHEAT WHISKEY.

ALWAYS ON HAND FROM TWO TO FOUR YEARS OLD.

UNIVERSALLY ACKNOWLEDGED TO BE

THE FINEST WHISKY MADE

IN THE SOUTH PERSONS WISHING

FOR MEDICAL AND OTHER PURPOSES

can get any size package

DAILY NEWS

THURSDAY, JANUARY 16, 1878

THE DAILY NEWS is the best weekly paper published in North Carolina. It is only, next to the "Daily News," the leading newspaper in the state, and it publishes every section of the country, and important advertisements. Always cash.

GENERAL NOTES.

There are ten men to one woman in southern California. Female servants there receive \$40 per month.

Mme. Angelique, who at the time of the siege of Sebastopol introduced into Russia the order of Sisters of Charity, has just died at Pleven, worn out by her labors on behalf of the sick and wounded.

New Orleans *Democrat*: I clasped her tiny hand in mine; I vowed to shield her from the wind, from the world's cold storms. She set her beauteous eye on me, and with her little lips said she, "An umbrella will do as well."

The Pope cannot bear a fire in his rooms, and to keep his hands warm has invented a pocket, a hollow little ball of soft, woolen material, smaller than an egg, which is filled with hot water, and which from time to time he rolls between his chilled palms.

The Congressional Directory shows that out of 369 members of Congress only 103 are natives of the States, which they represent. Only one State, North Carolina, is represented entirely by native-born citizens, while the delegations of ten States do not contain a single native.

Mr. Marshall, the first discoverer of gold in California, was a Colonist in that State. In this place he made his great discovery thirty years ago, and has remained there ever since. He made a fortune in mining, but has spent nearly all of it, and is now a comfortable cultivator of grapes.

N. Y. Tribune: Senator Patterson was not born yesterday, and says, though not exactly at that way, that he does not propose to resign when he can get \$100 a day for his services. He is really shamming, as his visitors think, he is, it is to be hoped he will keep at it. The country won't grudge the \$10 if he'll stay in bed.

A new bill has been introduced in the Pennsylvania House by Representative Larabee of Potter. The bill asks for an appropriation of \$10,000, to be paid to any citizen of the State who shall, within three years, construct or cause to be constructed, after plans of his own invention, and put into practical operation on the common highways, an engine or locomotive propelled by steam or motive power.

Washington Star: A number of American citizens from Baltimore who had taken possession of Moran Keys, a deposit of silver, which is claimed to have discovered the Keys, and established a Baltimore guano company, in spite of the warning of the United States consul and the Jamaican officials, have been driven off by H. B. M. steamship Bianchi and taken to Kingston. The Americans protest against this action.

A Montana justice of the peace doesn't sputter any when he marries a couple He says: "Arise! Grab hands! Hitched! Six dollars!" And that is all there is to it.

Many of those banished to Siberia grow so weary of their exile in such an inhospitable region that they lose their minds. Lunatic asylums have been erected of late years for their special accommodation.

The Worcester Spy says that as Mrs. C. C. Tracy, of Northampton, Mass., was descending the stairs at her residence on Friday, a ring on her right hand slipped off, and fell into the hall in the bay beside the side of the stair railing, and swung her out into the hall where she hung for several minutes by one finger, wrenching her quite severely. Her little daughter heard her cries and finally succeeded in lifting Mrs. Tracy so that she removed her finger, which was very much lacerated.

Washington Star: The relations between the United States and the Government of Mexico, as represented by Diaz, are of that friendly character which probably precedes an early recognition. It is thought, as learned from official sources, that the Cabinet of Mr. Hayes will hardly delay action in Diaz's case much longer, and what is wanted is his recognition of the raids and usual Rio Grande border troubles, and this Señor Diaz promises we shall have.

It is noted that probably the oldest settler in California is Peter Storm, who arrived in the Golden State in '33. He was the maker of the famous "bear flag" of Sonoma, when, in 1846, the citizens of that place declared themselves an independent State. The flag was made of cotton cloth, on which Storm painted with berry-juice, by the means of a blacking-brush, a rude portrait of a grizzly bear. The emblem is now in the possession of the Pioneer Society of San Francisco, and is always brought out on all notable occasions.

An effort to introduce the Japan Persimmon into this State. [Charlotte Observer.]

Dr. E. Nye Hutchison has been appointed general agent to introduce in this section the Japan persimmon, a fruit which he has on exhibition here now. He believes that it gives what ever to our persimmon except in color and name. It is very large—about the size of an orange—but differs from this in that it is of an oblong shape. These specimens came from California, where the tree was planted by Dr. Mattox, President of Bidwell University, near this place, who was for a number of years a missionary to Siam, is well acquainted with this fruit, and says of it that there is no more delightful food. It is asserted confidently that these trees will grow well in this soil, and Dr. Hutchison hopes to introduce them here.

The Science of Advertising.

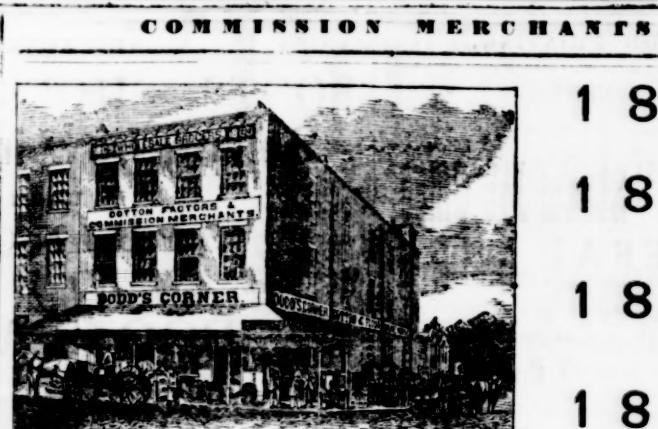
Washington Star: Advertising wagons, dodgers, hand bills and circulars are perhaps well enough in their way. But the experience of a century or more, as well as the common judgment of enlightened men, leads us naturally to the columns of the largely circulate and popular newspapers as the places where in advertisements are read, and thought over, and make permanent impressions upon the popular mind. There is the element of surprise here, which gives it a perceptual and increasing value. To show makeshifts of advertising, in the matter of effect, are no more to be compared to the columns of the popular and well-read newspaper, as a power to attract purchasers and induce trade, than are the showy picture flashes of the kaleidoscope, or the great and varied work of the master painter.

HAPPY BELIEF.

We represent as Manufacturers' Agents in North Carolina, keep in stock and guarantee the following articles:

"BOLES" COTTON AND PLANTERS' HANDLED HOES,
PRATT'S "ASTRAL" OIL,
The "All Right" Cook Stove,
LAFLIN & RAND "ORANGE LIGHTNING" GUN AND BLASTING POWDERS.

(MAGAZINE OUTSIDE OF THE CITY LIMIT²)
Averill Chemical Paint, mixed ready for use, and warranted in every particular; Henry Dutton & Son's Celestial Salve, Patent Liniment, Patent Engine: The Biglow Stove Engine, New York Rubber Co.'s Bellitting, Patent Stretched Oak Tanned Leather Binding.



1878
1878
1878
1878

BOLTED VIRGINIA MEAL. Liverpool Fine Salt.

NORTH CAROLINA FLOUR.

Egerton's Scotch Snuff.

PATAPSCO BAKING POWDER. SUGARS AND COFFEES.

FOR SALE BY

W. H. DODD.

Jan 9-17

CHRISTMAS TOYS, &c.

FOR THE

CHILDREN,

CHESTS OF TOY TOOLS.

Young America Toys.

Rocking Bells,

REVOLVING CHIMES

T. H. Briggs & Sons.

Dec 21-ff

SMOKING TOBACCO.

SMCKE DURHAM

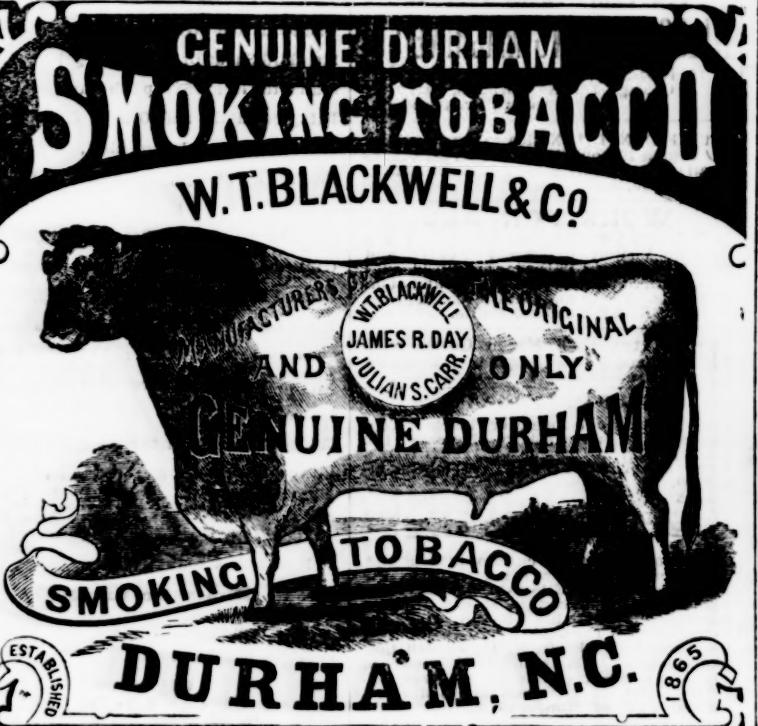


SMOKING TOBACCO,

Manufactured by Roulac & Co., Durham, N. C.

For Sale in Raleigh by GEORGE ZIEGLER, Next Door to Yarborough House.

Dec 11-ff



nov 15-ff

DEALERS IN HARDWARE AND FARMING IMPLEMENTS

A Matter of Popular Interest.

We represent as Manufacturers' Agents in North Carolina, keep in stock and guarantee the following articles:

"BOLES" COTTON AND PLANTERS' HANDLED HOES,
PRATT'S "ASTRAL" OIL,

The "All Right" Cook Stove,

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Fairbanks' Scales.
White Pine Sash, Doors and Blinds,

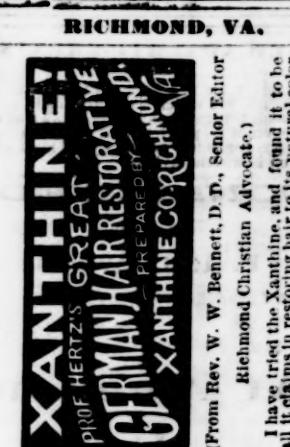
WAARRANTED THE BEST GOODS MADE.

To all suffering from one of the diseases of all kinds. Confidential consultation invited for personally or by mail. Few moments of treatment will save many thousands of dollars. Letters sent free in sealed envelopes, addressed to W. T. Blackwell, 419, N. Ninth St., Philadelphia, Pa. We have a high reputation for honorable conduct and professional skill.

mayday

Please write for Catalogues, Prices, &c.

dec 29-ff



1878
1878
1878
1878

(From Rev. Mr. Cameron, Minister of the Presbyterian Church South)
XANTHINE, GREAT HAIR RESTORATIVE,
C. J. H. HARRISON, PROPRIETOR.

Rev. W. W. Bennett, D. D., Senior Editor
of the Richmond Christian Advocate.)

I have tried the Xanthine, and found it to be a most excellent hair restorative, and its natural color
and texture are preserved, and it remains
soft and pliable.

W. W. BENNETT.

(Rev. Mr. Cameron, Minister of the Presbyterian Church South)

XANTHINE, GREAT HAIR RESTORATIVE,
C. J. H. HARRISON, PROPRIETOR.

Agents for Chickering & Sons' PIANOS
and G. Woods & Co.'s ORGANS.

april 17-ff

W. E. THOMSON,
Norfolk, Va.

J. R. POWELL,
Bertie Co., N. C.

House Established in 1829.

THOMSON & POWELL,
(Successors to John James)

STRICTLY
Commission Merchants,
57 & 59 and 28 & 30 Corner Water and Com-
merce Streets.

NORFOLK, VA.

COTTON A SPECIALTY.

I have turned over my business to the above
firm and commend them to my friends, in
shall remain with them and assist them in
their business. Respectfully
JOHN JAMES.

DR. RICHARD H. LEWIS,
Professor of Medicine at the University of
North Carolina.

Will endeavor to make sales at the highest
prices and to render the best services.

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Professor of Medicine

